

1AP7 Rec'd PCT/PTO 26 JUN 2006

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

15675P619

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/584688**

PRIORITY DATE CLAIMED

12/30/2003

INTERNATIONAL APPLICATION NO.

PCT/FR2004/003395

INTERNATIONAL FILING DATE

28 December 2004

TITLE OF INVENTION

**DEVICE FOR TREATING A BIOLOGICAL TISSUE VOLUME BY LOCALISE HYPERTHERMY**

APPLICANT(S) FOR DO/EO/US

Erik Dumont, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4)).
20. ☒ Other items or information.

Request For Priority; Preliminary Amendment; Transmittal of Formal Drawings; 11 figures/5 pages; Int'l Publ. WO 2005/072824 A1; Forms: PCT/IB/311(1 p.); PCT/ISA/210(5 pp.) (in English and French); PCT/IB/308; PCT Notification w/PCT/RO/101; PCT/IB/301(3 pp.); PCT/IB/304; PCT/RO 125; PCT/RO/101(4 pp.); return postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/584688</b>		INTERNATIONAL APPLICATION NO. PCT/FR2004/003395		ATTORNEY'S DOCKET NUMBER 15675P619	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21.	<input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) .....	\$300	\$	300.00	
22.	<input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33 (1)-(4) ....	\$0			
	All other situations .....	\$200	\$	200.00	
23.	<input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33 (1)-(4).....	\$0			
	Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....	\$100			
	International Search Report Prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....	\$400			
	All other situations .....	\$500		500.00	
<b>TOTAL OF 21, 22 and 23 =</b>			\$	1000.00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
31 - 100 =	-69 / 50 =		x	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	25- 20 =	5	x 50	\$	250.00
Independent claims	2 - 3 =	0	x 200	\$	0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 360	\$	360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	1610.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees are reduced by 1/2.				\$	1610.00
<b>SUBTOTAL =</b>				\$	1610.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/>				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	1610.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
Other fee (specify):					
<b>TOTAL FEES ENCLOSED =</b>				\$	1610.00
Amount to be refunded:					\$
charged:					\$
<p>a. <input checked="" type="checkbox"/> A check(s) in the amount of \$ 1610.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 02-2666 in the amount of \$ 1610.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of this sheet is enclosed.</p>					
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b) must be filed and granted to restore the application to pending status.</b></p>					
<p style="font-size: 1.2em;">6/23/08</p> <p>DATE</p>			<p style="font-size: 1.2em;">Eric S. Hyman</p> <p>SIGNATURE</p>		
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Blakely, Sokoloff, Taylor &amp; Zafman LLP</p> <p>12400 Wilshire Boulevard, 7th Floor</p> <p>Los Angeles, CA 90025</p> <p>Telephone: (310) 207-3800</p>			<p>NAME</p> <p>30,139</p> <p>REGISTRATION NUMBER</p>		

10/584688

Express Mail No.: EV665825082US

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DOCKET NO.: 15675P619

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ERIK DUMONT, ET AL.

Application No.:

Filed:

For: **DEVICE FOR TREATING A  
BIOLOGICAL TISSUE VOLUME BY  
LOCALISE HYPERTHERMY**

Art Group:

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are the formal drawings, 5 sheets including 11 Figures. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of the Fee Transmittal is enclosed for this purpose.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

Dated:

6/23/06

Eric S. Hyman, Reg. No. 30,139

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